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PATENT  
ATTORNEY DOCKET NO.: NG(MS)7195

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Stephen K. Vernon

Confirmation No.: 8013

Application No.: 09/854,623

Examiner: Derrick W. Ferris

Filing Date: 15 May 2001

Group Art Unit: 2663

Title: Data Rate Adjuster using Transport Latency

Mail Stop AF  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- |                                     |                             |                          |                                   |
|-------------------------------------|-----------------------------|--------------------------|-----------------------------------|
| <input checked="" type="checkbox"/> | Response/Amendment          | <input type="checkbox"/> | Request to extend time to respond |
| <input type="checkbox"/>            | New fee as calculated below | <input type="checkbox"/> | Supplemental Declaration          |
| <input checked="" type="checkbox"/> | No additional fee           |                          |                                   |
| <input type="checkbox"/>            | Other: _____ (fee \$ _____) |                          |                                   |

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1)	(2)	(3)	(4)	(5)	(6)	(7)
FOR	CLAIMS REMAINING AFTER AMENDMENT	NUMBER EXTRA	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS		MINUS		0	\$50.00	\$0.00
INDEP. CLAIMS		MINUS		0	\$200.00	\$0.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					\$360.00	
EXTENSION FEE	1ST MONTH	2ND MONTH	3RD MONTH	4TH MONTH		
	\$120.00 <input type="checkbox"/>	\$450.00 <input type="checkbox"/>	\$1,020.00 <input type="checkbox"/>	\$1,590.00 <input type="checkbox"/>		
OTHER FEES						
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00

Charge \$ \_\_\_\_\_ to Deposit account 20-0090. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 20-0090 pursuant to 36 CFR 1.25. Additionally, please charge any fees to Deposit Account 20-0090 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

CERTIFICATE OF MAILING (37 C.F.R. 1.8A)

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date: 9 September 2005

Lisa L. Pringle

Signature

Respectfully submitted,

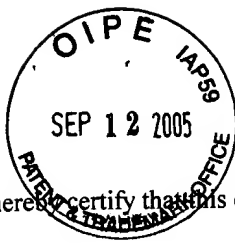
By   
Christopher P. Harris

Attorney/Agent for Applicant(s)

Reg. No.: 43,660

Date: 9 September 2005

Telephone: (216)621-2234




**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8A)**

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Date: 9 September 2005

  
Signature  
Lisa L. Pringle  
(type or print name of person certifying)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: )  
Stephen K. Vernon ) Group Art Unit: 2663  
Serial No.: 09/854,623 ) Confirmation No.: 8013  
Filed: 15 May 2001 ) Examiner: Derrick W. Ferris  
For: *Data Rate Adjuster Using Transport Latency*

**AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated July 12, 2005, issued in connection with the above-identified application, please enter and consider the following amendments and remarks.

**Amendments to the claims** are reflected in the listing of the claims, which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.